

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

JEFFREY A. LAWHUN,	:	Case No. 1:05cv2491
	:	
Petitioner,	:	JUDGE KATHLEEN O'MALLEY
	:	
v.	:	
	:	<u>ORDER</u>
ROB JEFFRIES, WARDEN,	:	
	:	
	:	
Respondent.	:	

Jeffrey Lawhun has petitioned this Court for a writ of habeas corpus pursuant to 28 U.S.C. §2254, in which he challenges the constitutional sufficiency of his negotiated guilty pleas to one count of aggravated assault, one count of breaking and entering, and three counts of burglary.

Lawhun's petition was referred to a magistrate judge of this Court, pursuant to 28 U.S.C. §636 and Local Rule 72.2(b)(2). The magistrate judge issued a Report and Recommendation ("R&R") (Doc. #18) in which he recommended that Lawhun's petition be denied. Lawhun has not filed any objections to the R&R. Because the Court reaches the same conclusions as the magistrate judge, no further articulation of its reasoning is required. *Tuggle v. Seabold*, 806 F.2d 87, 92-93 (6th Cir. 1986).

Accordingly, the magistrate judge's R&R is hereby **ADOPTED**. Lawhun's petition is **DENIED**, and his case is **DISMISSED**. Pursuant to 28 U.S.C. §1915(a)(3), the Court certifies that an appeal *in forma pauperis* from this decision could not be taken in good faith.

IT IS SO ORDERED.

s/Kathleen M. O'Malley
KATHLEEN McDONALD O'MALLEY
UNITED STATES DISTRICT JUDGE

Dated: July 13, 2006